

9200/2894
DAC

500.31617CX1/B9295-02EW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant : Hisataka SUGIYAMA *et al.*
Appl'n No. : 08/427,866
Filed : 26 April 1995
For : THREE-DIMENSIONAL RECORDING
AND REPRODUCING APPARATUS
Group AU : 2853 (Indicated in Decision on Petition)
Examiner : Unassigned
Conf. No. : 4338 (Indicated in PAIR)

NOV 03 2004

TECH DENIED 2800

SECOND PETITION UNDER 37 CFR §1.181

Mail Stop Petitions

Commissioner for Patents

POB 1450

Alexandria, Virginia 22313-1450

3 November 2004

Sir:

Applicant again respectfully petitions the Commissioner for immediate relief in the unwarranted and abnormal delay on the part of the Office in expediting the prosecution of the above-identified application.

The Decision on Petition granted on 22 May 2001 in connection with this case specifically withdrew the erroneous abandonment of the application by the Office, and indicated on page 3 thereof that this case was being forwarded to Group AU 2853 for examination. However, almost three years after the Decision was mailed, Applicant still had not received a first Action on the merits. Therefore, Applicant respectfully petitioned under 37 CFR §1.181 for immediate examination of the application on 20 April 2004, and such §181 Petition and all attachments thereto are incorporated herein by reference in their entirety. Attached is a printout of

concurrent date for the Transaction History section of PAIR for this application, indicating that the §181 Petition was received and entered into the record.

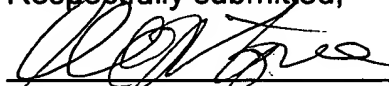
Also attached is a printout of concurrent date for the Application Data section of PAIR for this case, which indicates the status of the application as still erroneously held abandoned, and indicates that the file was never transferred from the file repository in Franconia, even after the first §181 Petition was entered into the record on 20 April 2004.

Since Applicant already has made every attempt possible to obtain correction of the records and examination of this application, such examination even being ordered as indicated in 22 May 2001 Decision, and yet such examination still has not taken place, **Applicant respectfully submits this SECOND §181 Petition seeking IMMEDIATE remedy and relief of the unwarranted and abnormal delay on the part of the Office in examination of the subject application.**

Submitted concurrently herewith is an Information Disclosure Statement with Form PTO-1449 and copies of references for entry and consideration in the subject application.

No fees are required or appropriate for this Petition.

Respectfully submitted,



Gregory E. Montone, Registration No. 28,141
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209-3801, USA
Telephone 703-312-6600
Facsimile 703-312-6666

Attachments:

PAIR Application Data Printout
PAIR Transaction History Printout



Application Data	Transaction History	Continuity Data	Foreign Priority
---------------------	------------------------	--------------------	---------------------

Date	Contents Description
04-20-2004	Workflow incoming petition IFW
11-09-2001	Information Disclosure Statement (IDS) Filed
05-22-2001	Petition Decision - Granted
06-06-2000	Petition Entered
08-31-1995	Abandonment for Purposes of Filing an FWC - File Combined with Child Application
08-31-1995	Mail Express Abandonment (During Examination)
08-31-1995	Express Abandonment (during Examination)
04-26-1995	Preliminary Amendment
07-12-1995	Case Docketed to Examiner in GAU
05-19-1995	Application Captured on Microfilm

Application Data	Transaction History	Continuity Data	Foreign Priority
------------------	---------------------	-----------------	------------------

Application Number:	08/427,866	Customer Number:	-
Filing or 371 (c) Date:	04-26-1995	Status:	Abandoned -- File-Wrapper-Continuation Parent Application
Application Type:	Utility	Status Date:	08-31-1995
Examiner Name:	REINHART, MARK J	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	2899	Location Date:	06-03-2003
Confirmation Number:	4338	Earliest Publication No:	-
Attorney Docket Number:	-	Earliest Publication Date:	-
Class / Subclass:	347/256	Patent Number:	-
First Named Inventor:	HISATAKA SUGIYAMA , KODAIRA- SHI, (JP)	Issue Date of Patent:	-
Title of Invention:	THREE-DIMENSIONAL RECORDING AND REPRODUCING APPARATUS		